



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 31 2013

REPLY TO THE ATTENTION OF:
LR-8J

CERTIFIED MAIL 7009 1680 0000 7669 3257
RETURN RECEIPT REQUESTED

Ms. Linda Wilson
Facility Director
BP Products North America Inc.
2815 Indianapolis Blvd.
Whiting, IN 46394-0710

Re: Request for Information
BP Products North America Inc.
EPA I.D. No.: IND 000 810 861

Dear Ms. Wilson:

By this letter, the U.S. Environmental Protection Agency requests information under Section 3007 of RCRA, as amended, 42 U.S.C. § 6927. Section 3007 authorizes the Administrator of EPA to require BP Products North America Inc. ("BP Whiting" or "you") to submit certain information.

This letter requires that you provide the information requested in Attachment II to this letter using the instructions and definitions included in Attachment I. This information is required to evaluate the full regulatory and compliance status of BP Whiting.

You must submit this information within **THIRTY (30) CALENDAR DAYS** of receiving this request to the EPA, at the following address:

Jamie Paulin
Compliance Section 1
RCRA Branch
Land and Chemicals Division
77 West Jackson Boulevard, LR-8J
Chicago, Illinois 60604

The information must be provided notwithstanding its possible characterization as confidential information or trade secrets. BP Whiting may, under 40 CFR Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR

§ 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures at 40 CFR Part 2, Subpart B. BP Whiting must make any request for confidentiality when you submit the information, since any information not so identified may be made available to the public without further notice.

BP Whiting must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information, in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject BP Whiting to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Jamie Paulin, at (312) 886-1771, of my staff. However, if you have any legal questions, please telephone Kevin Chow, Associate Regional Counsel, at (312) 353-6181.

Sincerely,



Walt Francis, Acting Chief
Compliance Section 1
RCRA Branch

cc: Nancy Johnston, Indiana Department of Environmental Management (IDEM)
(njohnsto@idem.in.gov)

ATTACHMENT A

Instructions:

1. You must provide a complete and separate response to each of the questions or requests in Attachment B. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
2. In preparing your response to each question, consult with all present and former employees and agents of the facility who may be familiar with the matter to which the question pertains.
3. In answering each question, identify all contributing sources of information.
4. If you are unable to answer a question in a detailed and complete manner, or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
5. If you cannot provide a precise answer to any question, please state the reason for your inability to be specific.
6. If anything is deleted or redacted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
7. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
8. An authorized representative or responsible person must sign the certification in Attachment B and return it with the response to this Request for Information.
9. Unless otherwise specified, the information must be provided for the three year period immediately preceding your receipt of this Request for Information.

Definitions:

1. "BP Whiting" or "you" relate or refer to BP Whiting, its subsidiaries, sister companies, affiliates, and/or any employee, officer, contractor, or agent thereof.
2. "Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent

or person of equivalent responsibility. The authorized representative should be authorized to respond on behalf of BP Whiting.

3. "Certification" means a statement of professional opinion based upon knowledge and belief.
4. "Person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body.
5. "RCRA" means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.).
6. "Responsible person" should be an officer or agent who is authorized to respond on behalf of BP Whiting.

ATTACHMENT B

Requests:

1. Identify all persons consulted in preparing the answers to this Request for Information.
2. Provide the full name, title, address and telephone number for each person identified in response to request number 1 above.
3. Provide the full name or names of the current owner or owners of the BP Whiting facility.
4. EPA inspected the BP Whiting facility on August 18, 2011, and was accompanied by the Indiana Department of Environmental Management (IDEM). A copy of the inspection report and photograph log have been enclosed for your reference.
 - a. Please describe the process of generation of oil-bearing secondary materials, F037 and F038, if applicable, starting from the gravitational separation of the oil/water/solids. Please provide a flow diagram, if available.

Please include all sources that contribute to the sludge, such as those generated in separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. In addition, include all residuals generated from processing or recycling oil-bearing hazardous secondary materials excluded under 329 IAC § 3.1-6-1 and § 3.1-6-2 [40 CFR § 261.4(a)(12)(i)], if those residuals are to be disposed of.

- b. Please describe what happens to the oil-bearing secondary materials, once generated. Provide a flow diagram, if possible.
 - i. Are any of the oil-bearing secondary materials stored on-site as hazardous waste and then manifested off-site as hazardous waste? If so, please include volumes of materials shipped off-site per month.
 - ii. Are the oil-bearing secondary materials returned to the refinery process? If so, how?
 - a) Are the materials reclaimed first, prior to re-insertion?
 - b) Are there any residuals not returned to the refinery process, if reclamation occurs prior to re-insertion? If so, what happens to those residuals?
 - c) If the materials are reclaimed first prior to re-insertion, please explain how they are reclaimed.

- iii. Are any of the oil-bearing secondary materials sent to another petroleum refinery?
 - a) If so, are they sent directly to another petroleum refinery or sent to an intermediate non-refinery facility for processing prior to being sent to another petroleum refinery?
- iv. Please provide us with a flow diagram of the waste water treatment unit (WWTU).
 - a) Are the oil-bearing secondary materials ever placed into the WWTU?
 - b) Are the oil-bearing secondary materials placed into the WWTU prior to re-inserting into the refinery process?
 - c) Is the water collected from the oil/water/solids separator inserted into the WWTU? If so, what happens to the oil that is collected from the oil/water/solids separator? Please describe the complete cycle of oil-bearing secondary materials, including F037 and F038, if applicable, and if not described above.

5. Provide the following certification on BP Whiting's behalf by a responsible person or authorized representative:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of information and documents. Based on my review of all relevant information and documents, and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Date

Signature and Title

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Linda Wilson
BP Products North America Inc.
2815 Indianapolis Blvd.
Whiting, IN 46394-0710

2. Article Number
(Transfer from service label)

7009 1680 0000 7669 3257

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Linda Wilson*☐ Agent☐ Addressee

B. Received by (Printed Name)

Linda Wilson

C. Date of Delivery

*8/4/13*D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE

GARY IN 464

04 FEB 2013 PM 3 T

First-Class Mail
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• Sender: Please print your name, address, and ZIP+4 in this box •

Jamie Paulin
U.S.EPA region 5 / LR- 8J
77 W. Jackson Blvd
Chicago, IL 60604

RECEIVED
DIVISION FRONT OFFICE

FEB 06 2013

LAND AND CHEMICALS DIVISION
U.S. EPA - REGION 5

